

matters, I believe that this bill threatens the sanctity of democracy and the concept of the separation of powers. Eighteen state judges have already adjudicated this matter, so passage of this bill would amount to an appeal granted by the legislative branch of government—in clear contravention of the U.S. Constitution. The will of 536 elected officials should not affect the final disposition of a personal family matter. What is most important in this situation is the wish of Terri Schiavo, and Congress cannot properly dispense of this question without being politically motivated. As is the case with many measures that the Republican Congress has slid past this body that purport to expand rights, this measure will contract the States' rights to be the final arbiter in private matters.

For the reasons stated above, Mr. Speaker, I reject this legislation.

The SPEAKER. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 686.

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 203, nays 58, not voting 174, as follows:

[Roll No. 90]

YEAS—203

Aderholt	Diaz-Balart, M.	Jindal
Akin	Doolittle	Johnson (IL)
Alexander	Drake	Jones (NC)
Baca	Dreier	Kanjorski
Bachus	Duncan	Kelly
Baird	Edwards	Kennedy (MN)
Baker	Ehlers	Kildee
Barrett (SC)	Emerson	King (IA)
Barrow	Engel	Kingston
Bartlett (MD)	English (PA)	Kirk
Bass	Etheridge	Kline
Bean	Fattah	Kuhl (NY)
Beauprez	Feeney	LaHood
Berry	Ferguson	Langevin
Biggart	Fitzpatrick (PA)	Latham
Bilirakis	Foley	Leach
Bishop (GA)	Forbes	Lewis (CA)
Blackburn	Ford	Lewis (KY)
Blunt	Fortenberry	Linder
Boehner	Fossella	Lipinski
Bonner	Fox	LoBiondo
Boren	Franks (AZ)	Lucas
Brady (PA)	Garrett (NJ)	Lynch
Burgess	Gilchrest	Mack
Burton (IN)	Gillmor	Manzullo
Buyer	Gingrey	Marchant
Calvert	Gohmert	Marshall
Camp	Goode	Matheson
Cannon	Goodlatte	McCaul (TX)
Cantor	Graves	McCotter
Capito	Green (WI)	McHenry
Carter	Green, Al	McHugh
Chabot	Hall	McIntyre
Chandler	Harris	McNulty
Chocola	Hart	Meek (FL)
Cole (OK)	Hastert	Melancon
Conaway	Hastings (WA)	Michaud
Costello	Hayes	Miller (FL)
Cox	Hayworth	Miller (MI)
Cramer	Hefley	Mollohan
Crenshaw	Hensarling	Murphy
Cuellar	Herseth	Musgrave
Culberson	Higgins	Myrick
Cummings	Hobson	Neugebauer
Davis (KY)	Holden	Ney
Davis (TN)	Hulshof	Northup
Davis, Jo Ann	Inglis (SC)	Nussle
Davis, Tom	Istook	Oberstar
DeLay	Jackson (IL)	Otter
Diaz-Balart, L.	Jenkins	Pearce

Pence	Ryan (WI)	Tancredo
Peterson (PA)	Ryun (KS)	Tanner
Pickering	Saxton	Taylor (NC)
Pitts	Schwarz (MI)	Terry
Platts	Scott (GA)	Thornberry
Poe	Sensenbrenner	Tiahrt
Pomeroy	Serrano	Tiberi
Porter	Sherwood	Turner
Portman	Simpson	Upton
Price (GA)	Skelton	Walsh
Pryce (OH)	Smith (NJ)	Wamp
Putnam	Smith (TX)	Weldon (FL)
Ramstad	Snyder	Weldon (PA)
Regula	Sodre	Westmoreland
Rehberg	Souder	Whitfield
Renzi	Stupak	Wilson (SC)
Rogers (AL)	Sullivan	Wynn
Ros-Lehtinen		

NAYS—58

Baldwin	Frank (MA)	Pascarell
Berkley	Gutierrez	Payne
Bishop (NY)	Hastings (FL)	Price (NC)
Brown-Waite,	Holt	Reichert
Ginny	Hoyer	Rothman
Butterfield	Israel	Schiff
Capuano	Kaptur	Schwartz (PA)
Cardin	Kennedy (RI)	Scott (VA)
Carnahan	Larson (CT)	Shays
Carson	Levin	Spratt
Castle	Lewis (GA)	Strickland
Clay	Matsui	Thompson (MS)
Cleaver	McDermott	Van Hollen
Clyburn	McKinney	Visclosky
Conyers	Miller (NC)	Wasserman
Davis (FL)	Moran (VA)	Schultz
Dent	Murtha	Watt
Dicks	Nadler	Weiner
Doyle	Oliver	Wexler
Evans	Pallone	Wu

NOT VOTING—174

Abercrombie	Harman	Obey
Ackerman	Herger	Ortiz
Allen	Hinchey	Osborne
Andrews	Hinojosa	Owens
Barton (TX)	Hoekstra	Oxley
Becerra	Honda	Pastor
Berman	Hooley	Paul
Bishop (UT)	Hostettler	Pelosi
Blumenauer	Hunter	Peterson (MN)
Boehlert	Hyde	Petri
Bonilla	Inslee	Pombo
Bono	Issa	Radanovich
Boozman	Jackson-Lee	Rahall
Boswell	(TX)	Rangel
Boucher	Jefferson	Reyes
Boustany	Johnson (CT)	Reynolds
Boyd	Johnson, E. B.	Rogers (KY)
Bradley (NH)	Johnson, Sam	Rogers (MI)
Brady (TX)	Jones (OH)	Rohrabacher
Brown (OH)	Keller	Roybal-Allard
Brown (SC)	Kilpatrick (MI)	Royce
Brown, Corrine	Kind	Ruppersberger
Capps	King (NY)	Rush
Cardoza	Knollenberg	Ryan (OH)
Case	Kolbe	Sabo
Coble	Kucinich	Salazar
Cooper	Lantos	Sánchez, Linda
Costa	Larsen (WA)	T.
Crowley	LaTourette	Sanchez, Loretta
Cubin	Lee	Sanders
Cunningham	Lofgren, Zoe	Schakowsky
Davis (AL)	Lowey	Sessions
Davis (CA)	Lungren, Daniel	Shadegg
Davis (IL)	E.	Shaw
Deal (GA)	Maloney	Sherman
DeFazio	Markey	Shimkus
DeGette	McCarthy	Shuster
Delahunt	McCollum (MN)	Simmons
DeLauro	McCrery	Slaughter
Dingell	McGovern	Smith (WA)
Doggett	McKeon	Solis
Emanuel	McMorris	Stark
Eshoo	Meehan	Stearns
Everett	Meeks (NY)	Sweeney
Farr	Menendez	Tauscher
Flner	Mica	Taylor (MS)
Flake	Millender-	Thomas
Frelinghuysen	McDonald	Thompson (CA)
Galleghy	Miller, Gary	Tierney
Gerlach	Miller, George	Towns
Gibbons	Moore (KS)	Udall (CO)
Gonzalez	Moore (WI)	Udall (NM)
Gordon	Moran (KS)	Velázquez
Granger	Napolitano	Walden (OR)
Green, Gene	Neal (MA)	Waters
Grijalva	Norwood	Watson
Gutknecht	Nunes	Waxman

Weller	Wolf	Young (FL)
Wicker	Woolsey	
Wilson (NM)	Young (AK)	

□ 0045

So (two thirds voting in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 90, my flight from Texas brought me to the Capitol one minute after the vote was closed. I intended to vote "yes."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 90, on S. 686, I did not attend in protest of the politicization of a profound medical and family tragedy. Had I been present, I would have voted "nay."

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-27) on the resolution (H. Res. 181) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 686, FOR THE RELIEF OF THE PARENTS OF THERESA MARIE SCHIAVO

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-28) on the resolution (H. Res. 182) providing for consideration of the Senate bill (S. 686) for the relief of the parents of Theresa Marie Schiavo, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 23) providing for a conditional adjournment or recess of the Senate, and a conditional adjournment of the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Sunday, March 20, 2005, through Sunday, April 3, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 4, 2005, or until such other time as may be specified by the Majority Leader or his designee